

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

14CV0563 (PAE)

ARNOLDO CHAVEZ,

Plaintiff

-against-

THE PRUDENTIAL INSURANCE COMPANY  
OF AMERICA,

Defendant.

-----X

**PLAINTIFF'S NOTICE OF DISMISSAL**

1. Plaintiff is ARNOLDO CHAVEZ; defendant is THE PRUDENTIAL INSURANCE COMPANY OF AMERICA.

2. On January 9, 2014 plaintiff sued defendant in the Supreme Court of the State of New York, County of Bronx. On January 9, 2014 defendant filed and served a Notice of Removal to the United States District Court: Southern District of New York.

3. Defendant has been served with process of a summons with notice, and has not served an answer or a motion for summary judgment.

4. This case is not a class action under FRCP23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

5. A receiver has not been appointed in this case.

6. This case is not governed by any federal statute that requires a court order for dismissal of the case.

7. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those presented in this case.

8. Plaintiff voluntarily dismisses this case without prejudice pursuant to F.R.C.P. sec. 41(a).

Dated: February 7, 2014

ALPERT, SLOBIN & RUBENSTEIN, LLP

Attorneys for Plaintiff

BY: 

MORTON ALPERT (MA8050)

2890 Randall Avenue  
Bronx, New York 10465  
(718) 829-8800

TO: SEYFARTH SHAW, LLP  
Attorneys for Defendant  
620 Eighth Avenue  
New York, New York 10018  
(212) 218-3351